

REMARKS

The present application was filed on September 26, 2003 with claims 1 through 21. Claims 1 through 21 are presently pending in the above-identified patent application.

In the Office Action, the Examiner rejected claims 1-3, 5-15, and 17-21 under 35 U.S.C. §102(b) as being anticipated by Staples et al. (United States Patent Number 5,889,845) and rejected claims 4 and 16 under 35 U.S.C. §103(a) as being unpatentable over Staples et al. in view of McKendry et al. (United States Patent Number 6,021,176).

Independent Claims 1, 10, and 13

Independent claims 1, 10, and 13 were rejected under 35 U.S.C. §102(b) as being anticipated by Staples et al. Regarding claim 1, the Examiner asserts that Staples discloses routing the communication to the user based on a predicted presence of the user at one or more communication devices (abstract; FIGS. 1, 10, and 12-20; col. 2, line 40, to col. 3, line 67).

Applicant notes that Staples teaches that,

when the remote user desires to establish a virtual presence at the corporate office, *the remote user directs the user telephony communications device to dial the virtual presence server and establish a connection. This includes providing identification information and security information to the virtual presence server.* Once the remote user is connected, the virtual presence server instructs the corporate PBX to automatically forward the remote user's office calls to the remote user at the remote location.
(Col. 2, lines 55-64.)

Thus, Staples teaches that the user *directs* the device to establish a connection (see, also, col. 18, lines 48-67). Staples, however, does not disclose or suggest predicting the presence of the user, as disclosed in the present disclosure. For example, the present disclosure teaches that, “according to one aspect of the present invention, a user’s presence at one or more communication devices is monitored over time to detect at least one pattern of behavior, often referred to herein as a presence pattern, indicating *that a user is likely to be present at a given communication device during a particular time interval.*” (Page 3, lines 9-12; emphasis added.) Independent claims 1 and 13 require routing said communication to said user *based on a predicted presence* of said user at one or more communication devices. Independent claim 10 requires detecting at least one pattern of behavior *indicating that a user is likely to be present* at a given communication device during a particular time interval.

Thus, Staples et al. do not disclose or suggest routing said communication to said user based on a predicted presence of said user at one or more communication devices, as required by

independent claims 1 and 13, and do not disclose or suggest detecting at least one pattern of behavior indicating that a user is likely to be present at a given communication device during a particular time interval, as required by independent claim 10.

Additional Cited References

5 McKendry was also cited by the Examiner for its disclosure of the use of a plurality of communication devices (abstract). Applicant notes McKendry teaches that “the personal call manager selectively routes the incoming call to any combination of local extensions on the owner’s premises.” (Col. 4, lines 45-47.) McKendry, however, does not disclose or suggest predicting the presence of the user, as disclosed in the present disclosure.

10 Thus, McKendry et al. do not disclose or suggest routing said communication to said user based on a predicted presence of said user at one or more communication devices, as required by independent claims 1 and 13, and do not disclose or suggest detecting at least one pattern of behavior indicating that a user is likely to be present at a given communication device during a particular time interval, as required by independent claim 10.

Dependent Claims 2-9, 11-12 and 14-21

Dependent claims 2-3, 5-9, 11-12, 14-15, and 17-21 were rejected under 35 U.S.C. §102(b) as being anticipated by Staples et al. and claims 4 and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Staples et al. in view of McKendry et al.

Claims 2-9, 11-12 and 14-21 are dependent on claims 1, 10, and 13, respectively, and are therefore patentably distinguished over Staples et al. and McKendry et al. (alone or in any combination) because of their dependency from independent claims 1, 10, and 13 for the reasons set forth above, as well as other elements these claims add in combination to their base claim.

15 If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this application, the Examiner is invited to contact the undersigned at the telephone number indicated below.

The Examiner's attention to this matter is appreciated.

Respectfully submitted,



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